

CA086692

SHELBY COUNTY BOARD OF COMMISSIONERS  
AGENDA ROUTE SHEET

Referred to Commission Committee \_\_\_\_\_

For Commission Action on April 28, 2008

DESCRIPTION OF ITEM:

Resolution approving the expenditure of funds by Shelby County Government to APAC-Tennessee, Inc. and Lehman-Roberts Company for plant mix asphalt in the approximate amount of \$1,060,000.00 from July 1, 2008 to June 30, 2009 and this item requires the expenditure of State Gas Tax Funds in the amount of \$1,060,000.00. Sponsored by Commissioner Wyatt Bunker.

CHECK ALL THAT APPLY BELOW:

\_\_\_\_\_ This Action does NOT require expenditure of funds.

X This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$ \_\_\_\_\_ ; County CIP Funds: \$ \_\_\_\_\_

State Grant Funds: \$ \_\_\_\_\_ ; State Gas Tax Funds: \$1,060,000.00

Federal Grant Funds: \$ \_\_\_\_\_

Other funds (Specify source and amount): \$ \_\_\_\_\_

Other pass-thru funds (Specify source and amount): \$ \_\_\_\_\_

Originating Department: Roads and Bridges

APPROVAL:

Dept. Head: Carolyn Benson 379-4410 CB 4/10/08  
(Print your name & phone #.) (Initials) (Date)

Elected Official: \_\_\_\_\_  
(Print your name & phone #.) (Initials) (Date)

Division Director: TED FOX \_\_\_\_\_  
(Print your name & phone #.) (Initials) (Date) 4/14/08

CIP - A&F Director: \_\_\_\_\_  
(Print your name & phone #.) (Initials) (Date)

Finance Dept. Mike Swift 545-4269 MAS 4/16/08  
(Print your name & phone #.) (Initials) (Date)

County Attorney: James F. Stelton 545-4362 JFS 4/15/08  
(Print your name & phone #.) (Initials) (Date)

CAO/Mayor: James F. Huntzicker 545-4514 JFH 4/17/08  
(Print your name & phone #.) (Initials) (Date)

## SUMMARY SHEET

### I. Description of Item

Resolution approving the expenditure of funds by Shelby County Government to APAC-Tennessee, Inc. and Lehman-Roberts Company for plant mix asphalt in the approximate amount of \$1,060,000.00 from July 1, 2008 to June 30, 2009 and this item requires the expenditure of State Gas Tax Funds in the amount of \$1,060,000.00. Sponsored by Commissioner Wyatt Bunker.

### II. Source and Amount of Funding

#### A. Amount Expended/Budget Line Item

\$1,060,000.00 from State Gasoline Tax funds and other dedicated revenues of the Roads & Bridges Fund; expenditures to be recorded in account number 071-301003-6044, Materials-Roads.

#### B. All Costs (Direct/Indirect)

Direct costs as stated above; no indirect costs.

#### C. Additional or Subsequent Obligations or Expenses of Shelby County

None

### III. Contract Items

Not Applicable

### IV. Additional Information Relevant to Approval of this Item

The Shelby County Roads and Bridges Department has a need to purchase plant mix asphalt materials for the continued asphalt maintenance and repairs for roads throughout unincorporated Shelby County and other asphalt-related projects for various departments within Shelby County Government.

The asphalt cut-out operation repairs large road failures due to sub-grade failures, trench failures, sink holes or asphalt deterioration. These repairs usually cover large areas and require extensive asphalt materials for completion.

The asphalt patching operation repairs numerous potholes and other small sink holes. This operation also addresses break-offs at road edges where asphalt has been broken off by traffic.

The paving operation is used as general maintenance on existing roadways for short distances to improve irregular, bumpy, or coarse sections of roadway until resurfacing is required.

This resolution awards \$1,060,000.00 from the FY2008-2009 Operating Budget for plant mix asphalt to APAC-Tennessee, Inc. and Lehman-Roberts Company for approximately 25,000 tons of 411E hot mix and 307B base mix and 500 tons of cold mix. Please note that APAC-Tennessee, Inc. will serve as the primary supplier of plant mix asphalt while Lehman-Roberts Company will act as an alternate supplier based upon the specific needs of the Roads and Bridges Department. Eighty (80%) percent of repairs are made with 411E hot mix with a cost of \$41.00/ton from APAC-Tennessee, Inc. and \$45.50/ton from Lehman-Roberts while 307B base mix cost per ton is \$40.00/ton from APAC-Tennessee, Inc. and \$43.50/ton from Lehman-Roberts. Cold mix will be provided by the alternate supplier, Lehman-Roberts Company, at a price of \$ 90.00/ton.

The 411E hot mix is a surface mix used to provide a smooth, finished riding surface. This mix is used in all the aforementioned operations. The 307B is a stronger base mix with larger aggregate used when extra thickness is necessary to build up sub-grade to the riding surface. Cold mix is used during inclement weather for patching potholes or shoulder repairs when hot mix is not available.

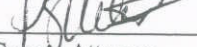
This represents an increase of \$165,000.00 over last year's contract in the amount of \$895,000.00.

To the best of our knowledge, there are no known LOSB vendors that provide plant mix asphalt for the purposes of this contract.



Item# \_\_\_\_\_

Prepared by Tracee L. Stills  
Roads and Bridges

Approved by   
County Attorney

**Resolution approving the expenditure of funds by Shelby County Government to APAC-Tennessee, Inc. and Lehman-Roberts Company for plant mix asphalt in the approximate amount of \$1,060,000.00 from July 1, 2008 to June 30, 2009 and this item requires the expenditure of State Gas Tax Funds in the amount of \$1,060,000.00. Sponsored by Commissioner Wyatt Bunker.**

**WHEREAS**, The Shelby County Roads and Bridges Department has a need to purchase plant mix asphalt materials that consists of surface 411E, base 307B and cold mix; and

**WHEREAS**, Plant mix asphalt will be used by the Shelby County Roads and Bridges Department for the routine maintenance of roadways and streets, to patch pot holes, and to cut out and repair large failures in roadway and street surfaces; and

**WHEREAS**, Sealed bids were requested and received on March 18, 2008, with the lowest/best bids meeting specifications being submitted by APAC-Tennessee, Inc. and Lehman-Roberts Company in the total estimated amount of \$1,060,000.00; and

**WHEREAS**, The period of award is from July 1, 2008 through June 30, 2009, with the option to renew for one (1) year from July 1, 2009 through June 30, 2010.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the expenditure of funds to APAC-Tennessee and Lehman-Roberts Company for a total of \$1,060,000.00, from July 1, 2008 through June 30, 2009, is hereby approved.

**BE IT FURTHER RESOLVED**, That the expenditure of funds is contingent upon the adoption of FY2008-2009 O & M Budget.

**BE IT FURTHER RESOLVED**, That the Purchasing Department is authorized to issue purchase orders for this material from the FY2008-2009 O & M account number 071-301003-6044 Roads and Bridges Department, Materials-Roads, subject to the availability of funds at the time the purchase orders are issued.

**BE IT FURTHER RESOLVED**, That the County Mayor is hereby authorized to execute any and all documents necessary for the completion of this purchase.

**BE IT FURTHER RESOLVED**, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant(s) to APAC-Tennessee, Inc. and Lehman-Roberts Company not to exceed a total of \$1,060,000.00, for the purposes contained in this resolution and to take proper credit in their accounting therefor.

\_\_\_\_\_  
A C Wharton, Jr., County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED: \_\_\_\_\_

160 NORTH MAIN, R 1 550  
MEMPHIS, TN 38103  
545-4360

TO: TRACEE STILLIS  
ROAD DEPARTMENT

FROM: NELSON FOWLER  
PURCHASING DEPARTMENT

DATE: APRIL 8, 2008

RE: APPROVED RECOMMENDATION SHEET (FINAL APPROVAL OF  
AWARD BY BOARD OF COMMISSIONERS REQUIRED)

Attached is a copy of the approved recommendation sheets for award of the Sealed Bid referenced below:

REFERENCE: BID NO.: SEALED BID NUMBER I001368  
DUE DATE: MARCH 18, 2008  
DESCRIPTION: PLANT MIX ASPHALT

It is necessary that the award of this bid receive approval by the Board of Commissioners before issuance of a purchase order or the signing of a contract by the County.

Please prepare the commission packet including the applicable contract documents, bonds, certificate of insurance, etc. and return the complete packet to Bernita Poole in the Contract Section of the Purchasing Department for further routing.

Your contract, if required, should include or incorporate the Bid Specification. If there are fund sources other than County General Funds or CIP which partially or wholly fund this contract (e.g. State or Federal), it is mandatory that all restrictions or requirements which attach to these funds be included in your contract.

Also, if bid specifications includes multiple renewal periods please include renewals in your resolution and contract.

By way of this memo, we are notifying the Office of E.O.C. Information (Contract Compliance Status Reports, etc.) required for inclusion in the commission packet to my attention in Purchasing. Upon receipt I will forward it to the Contract Administration Section for further processing.

Attachments

cc: Carolyn Watkins, Admin., E.O.C. Office  
Bernita Poole, Contract Administration  
Sealed Bid File  
rtltrl.frm

SHELBY COUNTY PURCHASING DEPARTMENT  
SEALED BID RECOMMENDATION SHEET  
SEALED BID NO: 1001368 DATE DUE: 3-18-08

TITLE OR DESCRIPTION OF BID

YES	NO	REQUIREMENTS	PLANT MIX ASPHALT	DESCRIPTION	NO.
X	X	CIP PROJECT		/TOTAL NUMBER RFB SENT OUT	05
X	X	BOARD OF COMMISSION APPROVAL		/TOTAL NUMBER BIDS RECEIVED	03
X	X	CONTRACT	DEPARTMENT(S)	/NUMBER OF RESPONSES UNOPENED	
X	X	SURETY (BONDS, ETC.)	ROAD DEPARTMENT	(NO E.O.C. CERTIFICATION)	00
X	X	CERTIFICATE OF INSURANCE	Tracee Stills		
X	X	E.O.C. REPORTS ATTACHED AND			
X	X	CERTIFIED BY ADMINISTRATOR			
X	X	COPY TO DEPARTMENT			
X	X	COPY TO DIVISION DIRECTOR			
X	X	COPY O E.O.C.			

PLANT MIX ASPHALT

(1) SURFACE - 411E	46.50/TON	45.50/TON	*\$41.00/TON
(2) BASE - 307-B	46.50/TON	43.50/TON	*\$40.00/TON
(3) COLD MIX	NB	*90.00/TON	NO BID

APPROXIMATE QUANTITY:  
COLD MIX - 500 TONS  
411 E - 15,000 TONS  
307-B-10,000 TONS

\*BID AWARD-Pickup Basis Only  
\*\*ALTERNATE SUPPLIER

RECOMMENDATION: ON THE BASIS OF THE LOWEST RESPONSIVE BID AND WITH THE CONCURRENCE OF THE USING DEPARTMENT, I HEREBY RECOMMEND THE AWARD OF THIS BID AS FOLLOWS:

PRIMARY SUPPLIER - APAC-TENN- 411 E & 307B - \$ 1,015,000.00  
ALTERNATE SUPPLIER - LEHMAN-ROBERTS - COLD MIX \$45,000.00

Total Amount Recommended for the award is \$ 1,060,000.00

NOTE: THE USING DEPARTMENT HAS RECOMMENDED THAT WE AWARD OUR BID TO A PRIMARY AND ALTERNATE SUPPLIER BASE ON THEIR NEED FOR MORE THAN ONE SUPPLIER OF PLANT MIX ASPHALT.



SHELBY COUNTY PURCHASING DEPARTMENT  
SEALED BID RECOMMENDATION SHEET  
SEALED BID NO: I001368 DATE DUE: 3-18-08

PLANT MIX ASPHALT

TOTAL ESTIMATED AMOUNT OF THE AWARD IS \$ 1,060,000.00

THE AWARD PERIOD IS JULY 1, 2008 THROUGH JUNE 30, 2009 WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE YEAR PERIOD.

THIS AWARD REQUIRES BOARD OF COMMISSION APPROVAL.

Walter Fowler, Buyer Date 4/7/08

Clifton Davis, Administrator of Purchasing/Date 4/7/08

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT BID I001368 DATED 3-18-08 IS IN COMPLIANCE WITH THE PROCEDURES AS STATED IN THE SHELBY COUNTY COMMISSION RESOLUTION NO. 50 ON PURCHASING DEPARTMENT POLICY, DATED 2/4/80.

Walter Fowler  
Walter Fowler, Buyer for the Shelby County Purchasing Department

DATE SWORN TO AND SUBSCRIBED BEFORE ME AT MEMPHIS, TENNESSEE ON THIS 8<sup>th</sup> DAY OF April, 2008.

Walter Fowler  
Notary Public

MY COMMISSION EXPIRES:  
March 4, 2009  
My Commission Expires



## Equal Opportunity Compliance

### Company Details

**Bid Number:** I001368      **PLANT MIX ASPHALT**

<b>Company Name:</b>	Apac Tennessee, Inc.		<b>CID:</b> 17488
Other name (DBA):			
<b>Vendor Number:</b>	EOC-CC-499	<b>Owner Code:</b>	WM
<b>Commodity:</b>	Heavy Highway Construction		
<b>Firm Type:</b>	Division		
<b>Certified:</b>	Eoc-Cc-499-029	National Standards	
<b>County:</b>	National, SM: 27.20%		
<b>Phone:</b>	901-947-5600	<b>Fax:</b>	<b>E-Mail:</b>
<b>KnowAs:</b>			<b>EnteredBy:</b>
<b>Additional Notes:</b>			<b>DateEntered:</b>
			<b>EditBy:</b> Enter
			<b>DateEdit:</b>

### Compliance History

<b>Compliance Date</b>	12/10/2007	<input type="checkbox"/> Compliance
<b>Compliance Code</b>	A	<input type="checkbox"/> Certificate
<b>EOC Number:</b>	EOC-C-0608-12172	
<b>Number:</b>	Last Edited By: doris.vester	
<b>Percent:</b>	Date Last Edited: 12/10/2007	
<b>Expires:</b>	6/30/2008	<b>Current</b>
<b>Status:</b>		
<b>Survey Number:</b>	0	
<b>Compliance Date</b>	05/07/2007	<input type="checkbox"/> Compliance
<b>Compliance Code</b>	A	<input type="checkbox"/> Certificate
<b>EOC Number:</b>	EOC-C-1107-11219	
<b>Number:</b>	Last Edited By: doris.vestermickens	
<b>Percent:</b>	Date Last Edited: 5/7/2007	
<b>Expires:</b>	11/30/2007	<b>Expired</b>
<b>Status:</b>		
<b>Survey Number:</b>	0	
<b>Compliance Date</b>	09/29/2006	<input type="checkbox"/> Compliance
<b>Compliance Code</b>	B	<input type="checkbox"/> Certificate
<b>EOC Number:</b>	EOC-C-0307-10387	
<b>Number:</b>	Last Edited By: doris.vestermickens	
<b>Percent:</b>	Date Last Edited: 9/29/2006	
<b>Expires:</b>	3/31/2007	<b>Expired</b>
<b>Status:</b>		
<b>Survey Number:</b>	0	



## Equal Opportunity Compliance

### Company Details

**Bid Number:** I001368      **PLANT MIX ASPHALT**

**Company Name:** Apac Tennessee, Inc.

**CID:** 17488

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Compliance Date 03/16/2006      ☐ Compliance  
Compliance Code C      ☐ Certificate  
EOC Number: EOC-C-0906-09810  
Number:      Last Edited By: doris.vestermickens  
Percent:      Date Last Edited: 3/16/2006  
Expires: 9/30/2006      Expired  
Status:  
Survey Number: 0

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Compliance Date 09/06/2005      ☐ Compliance  
Compliance Code C      ☐ Certificate  
EOC Number: EOC-C-0306-09342  
Number:      Last Edited By: dmickens  
Percent:      Date Last Edited: 9/6/2005  
Expires: 3/31/2006      Expired  
Status:  
Survey Number: 0

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Compliance Date 03/04/2005      ☐ Compliance  
Compliance Code C      ☐ Certificate  
EOC Number: EOC-C-0905-08707  
Number:      Last Edited By: dmickens  
Percent:      Date Last Edited: 3/4/2005  
Expires: 9/30/2005      Expired  
Status:  
Survey Number: 0

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Compliance Date 07/12/2004      ☐ Compliance  
Compliance Code B      ☐ Certificate  
EOC Number: EOC-C-0105-08024  
Number:      Last Edited By: dmickens  
Percent:      Date Last Edited: 7/12/2004  
Expires: 1/31/2005      Expired  
Status:  
Survey Number: 0

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## Equal Opportunity Compliance

### Company Details

**Bid Number:** I001368      **PLANT MIX ASPHALT**

**Company Name:** Apac Tennessee, Inc.

**CID:** 17488

Compliance Date 12/02/2003 ☐ Compliance

Compliance Code A ☐ Certificate

EOC Number: EOC-C-0604-07268

Number: Last Edited By: dmickens

Percent: Date Last Edited: 12/2/2003

Expires: 6/30/2004 Expired

Status:

Survey Number: 0

Compliance Date 05/20/2003 ☒ Compliance

Compliance Code B ☒ Certificate

EOC Number: EOC-CC-1103-06063

Number: Last Edited By: Dmickens

Percent: Date Last Edited: 5/20/2003

Expires: 11/30/2003 Expired

Status:

Survey Number: 5847

#### Contacts:

Contact First Name: Active Contact

Contact Last Name: Entered By:

Contact Title: MICHELLE COLETTA, H.R. MGR. Date Entered:

Contact Phone: 9019475600 Last Edited By:

Contact Date: 02/22/2005 Edit Date:

Contact Notes:

Contact First Name: Inactive Contact

Contact Last Name: Entered By:

Contact Title: CYNTHIA ROBINSON, H.R. REP. Date Entered:

Contact Phone: 9019475600 Last Edited By:

Contact Date: 12/01/2003 Edit Date:

Contact Notes:

Contact First Name: Inactive Contact

Contact Last Name: Entered By: Legacy Data

Contact Title: Date Entered: 8/17/2003

Contact Phone: Last Edited By:

Contact Date: 04/07/1999 Edit Date:

Contact Notes: \*PARENT CO.: APAC, INC.  
900 ASHWOOD PKWY.  
ATLANTA, GA 30338  
DeKALB COUNTY  
(770)392-5300

## Equal Opportunity Compliance

### Company Details

**Bid Number:** I001368      **PLANT MIX ASPHALT**

**Company Name:** Apac Tennessee, Inc.

**CID:** 17488

#### Mailing Addresses:

**Address:** 1210 Harbor Avenue

**MailCity:** Memphis

**ST:** Tn      **Zip:** 38113

**County:**

Inactive Mailing Address

**Entered By:** Legacy Data

**Last Edited By:**

**Date Entered:** 8/17/2003

**Edit Date:**

**Address:** P.O. Box 13427

**MailCity:** Memphis

**ST:** Tn      **Zip:** 38113-0427

**County:**

Active Mailing Address

**Entered By:** Legacy Data

**Last Edited By:**

**Date Entered:** 8/17/2003

**Edit Date:**



## Equal Opportunity Compliance

### Company Details

Bid Number: I001368 PLANT MIX ASPHALT

Company Name: Apac Tennessee, Inc.

CID: 17488

Survey	Job Description	Sex	African American	Indian/ Alaskan	Asian	Hispanic	White
11918	Craftworkers (Skilled)	Male	2	0	0	3	12
11918	Laborers (Unskilled)	Male	6	0	0	27	11
11918	Office And Clerical	Female	0	0	0	0	11
11918	Officials And Managers	Male	0	0	0	2	32
11918	Officials And Managers	Female	0	0	0	0	2
11918	Operatives (Semi-Skilled)	Male	33	0	0	32	91
11918	Operatives (Semi-Skilled)	Female	2	0	0	0	3
11918	Professionals	Male	2	0	0	0	15
11918	Professionals	Female	1	0	0	0	1
11918	Technicians	Male	0	0	0	0	7

## Equal Opportunity Compliance

### Company Details

**Bid Number:** I001368      **PLANT MIX ASPHALT**

<b>Company Name:</b>	Lehman-Roberts Company		<b>CID:</b> 17167
Other name (DBA):			Company Type:
Vendor Number:	EOC-CC-299	Owner Code:	WM
Commodity:	Asphalt Paving		Contractor
Firm Type:	Independent		
Certified:	Eoc-Cc-299-028		
County:	MEMPHIS-TN-AR-MS, TN: 42.90%		
Phone:	901-774-4000	Fax:	EMail:
KnowAs:			EnteredBy:
Additional Notes:	*other Name:lehman-Roberts Company, Inc.		DateEntered:
			EditBy: Doris
			DateEdit:

### Compliance History

Compliance Date	02/18/2008	<input type="checkbox"/> Compliance
Compliance Code	A	<input type="checkbox"/> Certificate
EOC Number:	EOC-C-0808-12405	
Number:	Last Edited By: doris.vester	
Percent:	Date Last Edited: 2/18/2008	
Expires:	8/31/2008	<b>Current</b>
Status:		
Survey Number:	0	

Compliance Date	08/09/2007	<input type="checkbox"/> Compliance
Compliance Code	A	<input type="checkbox"/> Certificate
EOC Number:	EOC-C-0208-11708	
Number:	Last Edited By: doris.vester	
Percent:	Date Last Edited: 8/9/2007	
Expires:	2/29/2008	<b>Expired</b>
Status:		
Survey Number:	0	

Compliance Date	02/07/2007	<input type="checkbox"/> Compliance
Compliance Code	A	<input type="checkbox"/> Certificate
EOC Number:	EOC-C-0807-10752	
Number:	Last Edited By: doris.vestermickens	
Percent:	Date Last Edited: 2/7/2007	
Expires:	8/31/2007	<b>Expired</b>
Status:		
Survey Number:	0	